

REMARKS

Claims 1-15 are pending in this application. No claims have been canceled. Claims 3-15 have been added.

The Office Action of May 24 presents the examination of claims 1 and 2. Claims 1 and 2 are amended herein and new claims 3-15 are added.

Support For Amendments

The amendment to claim 1 is supported by the disclosure of the specification at page 7, lines 17 and 29, and the original claim 2. New claims 3-5 are supported by, e.g., text found at page 6, lines 1-8. New claims 6-15 are supported by text at, e.g. page 7, lines 1-9.

Rejection Over Prior Art

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy '378 in view of Anderson '918. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

Applicant submits that the Examiner fails to establish *prima facie* obviousness of the claimed invention. First, the combination of Murphy '378 with Anderson '918 is inappropriate, as the combination destroys the teachings of the primary reference.

That is, Murphy '378 discloses a sound enhanced composite golf club head. As noted in column 2, lines 16-17 and column 3, lines 66 to column 4, line 1, the golf club head is formed of a composite material, such as plies or carbon pre-peg sheets. Murphy '378 discloses at column 5, lines 57-60 that the club head **20** has a volume 175 - 400 cc, preferably 300-310 cc, wherein the club head is shown in Figures 1-6 for example.

The Examiner cites Anderson '918 for the proposition that the golf club head of Murphy '378 may be simply modified to be formed of metal. Applicant asserts that this modification is completely inconsistent with the design model described by Murphy '378, which requires that the golf club head be made entirely of a composite, non-metallic material. Thus, combining Murphy with Anderson would completely destroy the fundamental teachings of Murphy and so the combination does not establish *prima facie* obviousness of the present invention.

Furthermore, while Murphy '378 is directed to solving a problem of the sound of a golf club, Murphy addresses the issue of the sound volume (pressure level) without regard to the frequency distribution.

Murphy '378 clearly fails to disclose or suggest a golf club head having a face portion and sole portion made of a metal material as in the golf club head of the present invention. Thus, Murphy '378 fails to disclose or suggest a significant feature of

the present invention, which is a golf club head having a face and sole made of a metallic material, wherein the golf club head produces a ball-hitting sound with a maximum in the sound pressure level at around 6.3 kHz.

Furthermore, even if the references are improperly combined, Applicant submits that the particular quantitative relationships among the thickness of the front of the sole plate and the thickness of the back of the sole plate, independently or together with the volume of the head (claims 1-5), are not disclosed or suggested by the combined references. Neither does either reference, or therefore their combination, disclose or suggest how to tune the frequency of the maximum in sound pressure level for the sound made by the club head upon striking. Thus, the combined reference fail to disclose or suggest at least one feature of the claimed invention and the rejection must be withdrawn for at least this reason.

Applicant submits also that the features recited in claims 6-9 related to the shape of the front part of the sole, and in claims 10-15 related to placement of the rear edge of the front part of the sole plate, are not disclosed or suggested by the combined references. Therefore the instant rejection should not be applied to these new claims.

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy and Anderson as applied above, and further

in view of Sanpei. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are requested.

The Examiner cites Sanpei for the proposition that making the front part of the sole of a golf club head thicker than the back part is obvious. Regardless of whether Sanpei supports that proposition, the addition of Sanpei to the combination of Murphy and Anderson does nothing to remedy the deficiency of the primary combination in failing to recite or suggest each feature of the claimed invention.

Furthermore, Sanpei teaches away from the present invention. The disclosure of Sanpei relied upon by the Examiner (Fig. 1 and paragraph 4) urges that the decrease in thickness of the front part of the sole plate should occur uniformly over the length of the front part of the sole plate. On the other hand, the present claim 1 states that the decrease in the thickness of the front part of the sole plate "concentrates near the rear edge of the front part". Therefore, in fact combining Sanpei with Murphy and Anderson leads the skilled artisan to an invention different from that presently claimed.

For any one, or for all of the above reasons, the instant rejections of claims 1 and 2 over the cited references should not be applied to the present claims.

Applicant submits that the present application well-describes and claims patentable subject matter. The favorable actions of

withdrawal of the standing rejections and passage of the application to issue are respectfully requested.

Conclusion

Applicant submits that the present application well-describes and claims patentable subject matter. Accordingly, the favorable actions of withdrawal of the standing rejections and allowance of the pending claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$980.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s) :